

REMARKS/ARGUMENTS

Claims 11-18 are pending. Claims 1-10 have been canceled. It is believed that the newly submitted claims overcome the claim objections and rejection under 35 USC 112 of the Office Action. A copy of the cited Harrison paper is enclosed herewith for the Examiner's consideration.

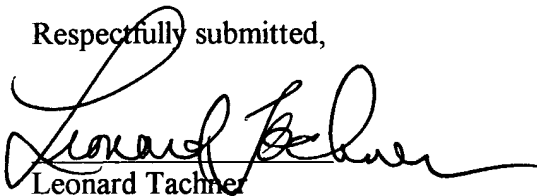
Prior Art Rejections

The rejections based upon Sappey et al (No. 6,647,182) are not well-founded and should be withdrawn. Sappey et al disclose a periodic echelle grating for WDM multiplexing based upon wavelength discrimination based upon a purely periodic structure. Nowhere in Sappey et al is it stated or suggested that the periodic structure can be perturbed to yield something other than a resonant (highly peaked) optical transfer function. Applicant's claims are all directed to use of a non-periodic echelle structure to realize any arbitrary optical transfer function by employing a plurality of contiguous reflective facets that are of unequal width and spacing. This is a unique capability not disclosed by Sappey et al or by any other prior art known to the Applicant.

Amendment Continued
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Claims 11-18 are therefore clearly patentable over the art of record and an early allowance is respectfully solicited.

Respectfully submitted,



Leonard Tachner

Attorney for the Applicant(s)

Registration No. 26,344

Dated:

4/29/05

LT/jf

(949) 752-8525 Telephone

(949) 955-2415 Telefax

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Amendment

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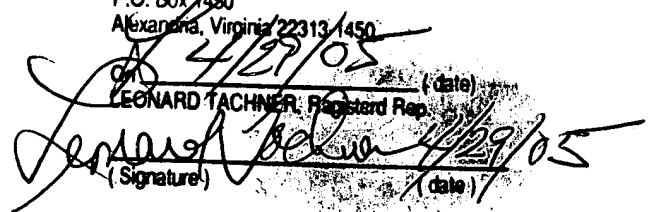
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P.O. Box 1450

Alexandria, Virginia 22313-1450

4/29/05 (date)

LEONARD TACHNER, Registered Rep.



(Signature)

(date)